

11

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

THIRD POINT LLC,

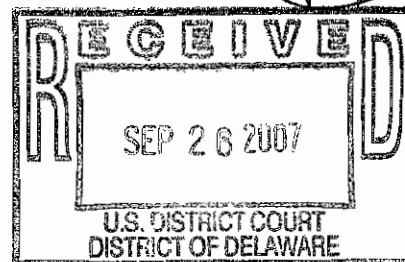
Plaintiff,

v.

TRIPPOINT ASSET  
MANAGEMENT, LP and  
TRIPPOINT HOLDINGS LLC,

Defendants.

C.A. No. 07-192 ~~XXX~~



**STIPULATED ORDER OF DISMISSAL**

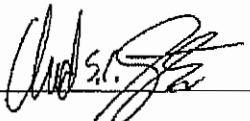
Having settled their dispute as to all issues in this action in the form of a Settlement Agreement effective as of July 23, 2007, and based upon the obligations and considerations thereof, Third Point LLC, TriPoint Asset Management, LP and TriPoint Holdings, LLC (collectively, the "parties"), by and through their respective counsel, hereby submit this stipulated order of dismissal pursuant to Fed. R. Civ. P. 41(a)(1), as follows:

1. All pending claims are dismissed with prejudice;
2. Each party shall bear its own costs and attorneys' fees; and
3. This Court shall retain jurisdiction over the enforcement and interpretation of the Settlement Agreement entered into by the parties for purposes of dismissing this action.



SO STIPULATED:

Dated: September 26, 2007

  
\_\_\_\_\_  
John W. Shaw (No. 3362)  
Chad S.C. Stover (No. 4919)  
The Brandywine Building  
1000 West Street, 17th Floor  
P.O. Box 391  
Wilmington, Delaware 19899-0391  
(302) 571-6672  
jshaw@ycst.com  
cstover@ycst.com

and

Kelsey I. Nix  
William M. Ried  
Diane C. Ragosa  
Fara S. Sunderji  
WILLKIE, FARR & GALLAGHER LLP  
787 Seventh Avenue  
New York, New York 10019-6099  
(212) 728-8000

*Attorneys for Plaintiff Third Point LLC*

/s/ E. Norman Veasey

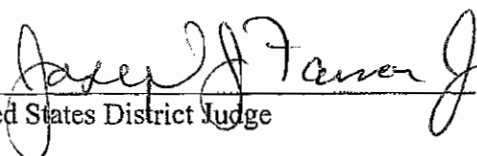
E. Norman Veasey (No. 702)  
WEIL, GOTSHAL & MANGES LLP  
1201 N. Market Street, Suite 1402  
Wilmington, Delaware 19801  
(212) 310-8000  
e.normanveasey@weil.com

and

Michael A. Epstein  
Randi W. Singer  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
(212) 310-8000

*Attorneys for Defendants TriPoint Asset  
Management, LP and TriPoint Holdings,  
LLC*

SO ORDERED this 1 day of OCTOBER, 2007,

  
\_\_\_\_\_  
United States District Judge